As prepared

Presented by Commissioner Elizabeth Prodromou
United States Commission on International Religious Freedom
Russian Presidential Administration's Academy of State Service, Moscow, Russia

February 9, 2006

"Human Rights and Tolerance in Today's Russia: An International View"

I am very pleased to have the opportunity to be here in Moscow today and to speak to all of you. As I understand it, many of you are the individuals who are responsible for implementing Russian law and policies on religious activities and religious organizations. In this capacity, you also play an important role in ensuring that the rights recognized in the Russian Constitution and in international treaties are protected for all individuals in Russia. I would like to provide a perspective on how some of us in the international community who care about human rights view what is happening in Russia today. Of course, I hope to learn from you during this conference.

I am going to divide my talk into three parts. I would like to start by explaining why the protection of human rights in Russia is a concern of U.S. foreign policy. I would also like to summarize how the organization I represent, the U.S. Commission on International Religious Freedom, plays a role in the formation of U.S. foreign policy. Finally, I would like to discuss the trends that are of concern to my Commission and others regarding the state of freedom of religion and belief and related issues in Russia.

First, regarding human rights in Russia as a concern for U.S. foreign policy, let me emphasize that American interest in promoting freedom of religion and belief in other countries is not an attempt to enforce American values on other countries, societies or cultures. Nor is it an effort to impose on others the American system of church-state relations. Rather, we seek to hold governments accountable for their own commitments to implement international human rights standards, since concern for religious freedom and other human rights reflects universal values

and norms.

Freedom of thought, conscience, religion and belief is recognized by virtually every country in the world and is defined in various international instruments signed by Russia and the United States. These include the Universal Declaration of Human Rights, and the International Covenant on Civil and Political Rights, as well as the Helsinki Final Act and other documents of the Organization for Security and Cooperation in Europe. It is these standards that constitute the legal mandate of the Commission.

The international community has also adopted documents that focus on the need for religious tolerance. The principle of tolerance for the rights of others is, of course, necessary for the peaceful exercise of one's own rights - indeed, one cannot exist without the other. Moreover, it has become apparent since September 11, 2001 that both freedom of religion or belief, and religious tolerance, are intimately connected to world peace and order.

Now, second, regarding the role of the U.S. Commission on International Religious Freedom in U.S. foreign policy, this role is based on the fact that Americans care deeply about freedom of religion and belief, both in our own country and as a basic right to be guaranteed and protected in any democratic society.

In 1998, the United States Congress passed a law entitled "the International Religious Freedom Act of 1998." The guarantee of the free exercise of religion is the first right enumerated in our Constitution's Bill of Rights and in the 1998 law which stated that religious freedom is "under renewed and, in many cases, increasing, assault in many countries around the world" and that "more than one-half of the world's population" lives in countries where the right to freedom of religion and belief is in some manner restricted as a result of either government action or inaction. Therefore, the 1998 law intends to make the protection of international religious freedom a core part of the U.S. foreign policy agenda. This is not because the United States wishes to impose its traditions on others, but because a decline in freedom, when left unchecked, can ultimately result in broader forms of human rights violations. History reveals many examples of crimes against humanity, acts of terrorism, and war crimes committed in the name of religion or when freedom of religion or belief is denied.

At this point, I want to express my personal condolences -as well as on behalf of the Commission I represent - with the citizens of Russia - of various religions and ethnic groups - who have been subjected to terrorist attacks in recent years. And I would also express great

sorrow for the community of Beslan, which lost so many of their children on that terrible day in September 2004.

Returning to the 1998 International Religious Freedom Act, Congress required the creation of an Office on International Religious Freedom within the U.S. State Department. The law requires the State Department to prepare an annual report on conditions of religious freedom in every country in the world, as well as on U.S. policies to promote it.

In addition, the law also created the Commission that I have the honor of representing today. The Commission is an independent, bipartisan, U.S. government entity that is not part of the State Department, the Executive Branch, or Congress. We are nine Commissioners. We are private citizens who are appointed by the President and the leadership of both political parties. Commissioners are experts in U.S foreign policy, international law, human rights, and religious affairs. The main responsibilities of the Commission are to review the facts and circumstances of violations of religious freedom worldwide and to recommend policies to the U.S. government, both in response to progress and in regard to violations of religious freedom.

In recent examples of the Commission's work, we have called for the U.S. government to publicly respond to chronic abuses of religious freedom in Saudi Arabia, China and Pakistan; the Commission has also been publicly critical of the French government's ban on the wearing of headscarves in public schools; and we conducted a study of religious freedom provisions in the constitutions of Muslim-majority countries. Finally, in order to gain first-hand information that will enhance our understanding of religious freedom conditions abroad, the Commission and staff make regular overseas visits to meet with foreign officials, religious communities, NGOs and civil society groups.

Turning to the third part of my talk, allow me to discuss the reason that Russia has been a focus of consistent Commission interest since 1999. Russia has drawn the Commission's attention not because of the severity of religious freedom violations, but because of the fragility of human rights protections, including those for freedom of religion and belief. It is well known that Russia made significant progress on the human rights front in the initial post-Soviet period. However, today, many international observers, including my Commission, have expressed strong concern that Moscow has been retreating from democratic reform that protects human rights.

Let me outline several events in Russia over the last few years that have raised serious

questions in the minds of many international observers about the Russian government's commitment to human rights and that are the object of concern for our Commission.

Most generally, from 2004 to the present, the Russian government has passed a series of laws that have increased restrictions on rights to public assembly and popular referenda; imposed onerous registration requirements on political parties; and limited electoral freedoms at regional and local levels.

Of most recent concern is President Putin's decision to sign into law new requirements for the Russian NGO community, a decision that many view as diminishing the rights of Russian citizens. Under this new law, a unit in the Justice Ministry will oversee the registration, financing, and activities of the more than 400,000 NGOs that operate in Russia. The Ministry can also deny registration to any foreign group that it considers a threat to Russia's "sovereignty," "cultural heritage" and "national interests." The Ministry can also shut down an NGO for using foreign funds for political activities and engaging in activities unrelated to its stated goals. Reportedly, the Justice Ministry unit has already initiated legal action to close an association of independent human rights groups because the association allegedly has not informed officials of its operations. The measure also requires Russian NGOs to report all foreign grants and how they are spent. The authorities can also require foreign grant-givers to cease funding specific Russian groups.

Clearly, the government has a duty to protect its citizens and no group or individual is above the law. Yet, the Commission is concerned that the new NGO law may be implemented in an arbitrary manner that restricts civil society in Russia and that violates Russia's international commitments concerning freedom of speech, press and association.

These limitations on political activities and civil society point to a worrisome trend in terms of general human rights protections in Russia, and my Commission is concerned about signs of limitations on rights of freedom of religion and freedom of conscience. Of course, the Commission recognizes and commends the fact that the practice of religion, particularly for individuals, is improved in Russia, especially in comparison with the Soviet period. Indeed, Oleg Mironov, former Russian Human Rights Ombudsman, told the Commission last year that "freedom of religion in the last 10 years in Russia is greater than at any time since the 1917 Russian revolution.... You can freely attend the house of worship of your choice.... But even though there are positive achievements ... there are many complex trends." And it is these complex trends that cause concern to our Commission regarding Russia's sustained commitment to protection of freedom of religion and belief.

The Moscow court decision in March 2004 banning the Jehovah's Witnesses in that city, upheld on appeal, marked the first time a national religious organization in Russia has had a local branch banned under the 1997 religion law. Although 135,000 Jehovah's Witnesses practice their faith in registered communities in many other parts of Russia, the Moscow trial has led to increased difficulties for Jehovah's Witnesses in renting facilities to hold worship services in other parts of Russia. Similarly, the Salvation Army has not been re-registered, despite a Constitutional Court ruling that overturned the official decision not to register the organization in Moscow.

A "Law on Traditional Religions," first proposed in February 2002 and whose status remains unclear, would formalize benefits already granted *de facto,* in varying degrees, to organizations from among the Moscow Patriarchate of Russian Orthodoxy, Islam, Judaism and Buddhism. Granting benefits to some communities and not to others raises the possibility of discrimination.

The Russian Orthodox Church (ROC) - and the Orthodox tradition in general -- has played a special role in Russian history and culture. International law allows for the Russian state to recognize this fact, but not in ways that result in discrimination against, or restrictions on, the rights of members of other religious communities or non-believers. Questions exist about whether or not the Russian Orthodox Church enjoys a privileged status that sometimes results in official restrictions on the rights of members of other religious communities. Minority religious communities report that they must secure permission from the local Orthodox Church before being allowed to build a place of worship. We understand that this permission is not required under Russian law, which establishes a separation between religious organizations and the state.

Members of some unregistered Baptist and Pentecostal communities faced particular hardships in 2004. On the eve of a major national conference, a Baptist church in Tula was burned. In the Buryatia republic, authorities have removed children from Pentecostal families and placed them in orphanages. In the Udmurtia republic, police raided a registered Pentecostal church in Izhevsk in April 2005, and reportedly threatened four women with rape.

More generally, Russian authorities have continued to deny visas or residence permits for Catholic, Protestant, and Muslim clergy and religious workers. In April 2005, the head of the Evangelical-Lutheran Church of European Russia was denied re-entry to Russia and his one-year residence permit was annulled. And for several months last year, Moscow's chief

rabbi was arbitrarily denied permission to re-enter Russia. On a positive note, after many years of requests from the Buddhist community in Russia, the Dalai Lama finally received a visa and was allowed to visit Kalmykia in 2004, and a new government publication on the rights of foreign religious workers has helped to resolve problems with visas and residence permits.

Of course, the Commission well understands that no society is immune from the problems of intolerance, discrimination and violent extremism. But from a human rights perspective, we ask: How is the government responding to these problems? Is it doing what it can to prevent and prosecute hate crimes and acts of violence? Or are government officials and agencies encouraging or even engaging in discrimination or hate crimes?

Some claim that Russian officials are not active enough in combating hate crimes, xenophobia, anti-Semitism and Islamophobia. Russian journalist Valery Panyushkin, recently wrote that the "Russian police always try to portray any murder committed for nationalistic motives as an isolated incident and to blame it on ‘hooliganism' instead of ‘nationalism.'"

Muslims throughout Russia increasingly are subject to widespread discrimination, media attacks, and occasional acts of violence. Meeting in secret session in February 2003, the Russian Supreme Court banned 15 Muslim groups because of their alleged ties to international terrorism. The factual findings on which the court made its decision have not been made public. Yet, police, prosecutors, and courts reportedly have used those secret findings to arrest and imprison individuals from among Russia's estimated 20 million Muslims. Individuals of nationalities traditionally associated with Islam have also been subjected to numerous attacks in Russia. Muslim cemeteries and mosques have been vandalized. Mufti Ismagil Shangareev told the Commission last year that "the anti-Islamic syndrome in daily life is now beginning to become more official." The Commission recognizes that the United States and Russia, along with many other countries, are engaged in a struggle with those who commit criminal terrorist acts, but that struggle cannot serve to justify indiscriminate violations of the rights of individuals or communities.

Reportedly, Russian authorities have also taken steps-including arrests, allegedly on the basis of fabricated evidence-against Muslims, Muslim human rights activists and Muslim groups that are independent of the country's official Muslim organizational structures. In response, Muslim individuals and communities increasingly are engaging in public protests.

The Commission has also called upon Moscow to end and to prosecute acts of torture,

arbitrary detention, rape and other abuses by the Russian military in Chechnya.

Last month's attack on worshippers in a Moscow synagogue has also highlighted the issue of virulent and sometimes-violent xenophobia in Russia. Russian political and religious leaders expressed shock at the attack and solidarity with the victims and with the country's Jewish community. Speaking at a Kremlin press conference, Russia's chief rabbi pointed out that the slogan of "Russia for the Russians," can serve to motivate such vile attacks. He said that "the anti-Semitism problem, as we see it today, is part of a wider problem that Russia is facing. It is a problem with skinheads, organized criminals, who proceed from the simple idea that any alien is an enemy." He noted that "today I sometimes hear that people in the street feel insecure, even though they don't look like Jews. People from Chechnya or other regions feel alien in Moscow and Russia. And this is something that must be stopped." Rabbi Lazar called on the Russian government to step up security at Russian synagogues and, more generally, improve its enforcement of existing legislation on hate crimes.

Many in Russia's Jewish community say that conditions for the country's Jews are better than at any time before 1991 because, unlike in the Soviet period, the state no longer has an official policy of sponsoring anti-Semitism. Nevertheless, there is documented evidence that anti-Semitic acts, including vandalism and physical attacks are on the rise. Synagogues and Jewish cemeteries and memorials were subjected to attacks by vandals; there have been few prosecutions. There have been official investigations of some of these incidents, but they have been inclusive, and there have been few prosecutions of alleged perpetrators of such crimes.

For several years, the U.S. Commission on International Religious Freedom has heard warnings about growing xenophobia in Russia. Three years ago, the Commission noted that "most, if not all, of the religious freedom concerns [in Russia] ...appear to be directly related to the increasing influence of authoritarian, and perhaps even chauvinistic, strains with the Russian government." Last year, Lyudmila Alekseeva, head of the Moscow Helsinki Group, told the Commission that she was deeply concerned about possible fascist tendencies in Russia. A climate of intolerance, and the growing vehemence and violence of xenophobic acts, are matters of acute concern to the numerous religious and ethnic minorities in Russia.

The Commission believes that government officials everywhere should promptly and vigorously condemn specific acts of xenophobia and discrimination. Governments around the world should also take steps to vigorously prosecute those who have committed violent acts motivated by hate. Therefore, it is difficult to understand why the Russian government in June 2004 decided to end a national program on tolerance before its original 2005 end date. The program called for various measures, including the review of federal and regional legislation on

extremism, mandatory training for public officials to promote ethnic and religious tolerance, and new educational materials. Ella Pamfilova, Chair of Russia's Presidential Human Rights Commission, termed this decision "political nearsightedness."

All over the world, governments and societies are struggling with many similar problems. In an age of globalization, migration and the ever more rapid exchange of ideas, how can countries attain a stable and prosperous future which fuses national tradition and religious and cultural diversity? How can governments respect the rights of individuals while protecting the security of the many? How can societies expand the understanding of what is seen as "ours" from a narrow local view to include world-wide horizons? These are questions that preoccupy the Commission and we believe that it is only when all governments uphold - in practice as well as on paper - international guarantees of freedom of religion and belief - for communities as well as individuals -- that societies will progress along the path towards a stable and prosperous future.

Thank you.